

Stephanie Van Marter
Acting United States Attorney
Eastern District of Washington
Benjamin D. Seal
Assistant United States Attorney
402 E. Yakima Avenue, Ste. 210
Yakima, WA 98901-2760
Telephone: (509) 454-4425

FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUL 10 2025

SEAN F. MCAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALLICIANNA LYNNZIE CLARK,

Defendant.

Case No.: 1:24-CR-2073-RLP-1

Plea Agreement

Plaintiff United States of America, by and through Stephanie Van Marter, Acting United States Attorney the Eastern District of Washington, and Benjamin D. Seal, Assistant United States Attorney for the Eastern District of Washington, and Defendant ALLICIANNA LYNNZIE CLARK ("Defendant"), both individually and by and through Defendant's counsel, Nick Mirr, agree to the following Plea Agreement.

1. Guilty Plea and Maximum Statutory Penalties

Defendant agrees to enter a plea of guilty to Count 1 of the Indictment filed on October 9, 2024, which charges Defendant with Possession with Intent to Distribute 50 Grams or more of Actual (Pure) Methamphetamine, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii), a Class A felony.

PLEA AGREEMENT - 1

1 Defendant understands that the following potential penalties apply:

- 2 a. a term of imprisonment of not less than 10 years and up to a
- 3 lifetime;
- 4 b. a term of supervised release of not less than 5 years and up to a
- 5 lifetime;
- 6 c. a fine of up to \$10,000,000;
- 7 d. a \$100 special penalty assessment; and
- 8 e. denial of certain federal benefits pursuant to 21 U.S.C. §§ 862
- 9 and 862a.

10 2. Supervised Release

11 Defendant understands that if Defendant violates any condition of
12 Defendant's supervised release, the Court may revoke Defendant's term of
13 supervised release, and require Defendant to serve in prison all or part of the term
14 of supervised release authorized by statute for the offense that resulted in such term
15 of supervised release without credit for time previously served on postrelease
16 supervision, up to the following terms:

- 17 a. 5 years in prison if the offense that resulted in the term of
- 18 Supervised Release is a class A felony,
- 19 b. 3 years in prison if the offense that resulted in the term of
- 20 Supervised Release is a class B felony, and/or
- 21 c. 2 years in prison if the offense that resulted in the term of
- 22 Supervised Release is a class C felony.

23 Accordingly, Defendant understands that if Defendant commits one or more
24 violations of supervised release, Defendant could serve a total term of
25 incarceration greater than the maximum sentence authorized by statute for
26 Defendant's offense or offenses of conviction.

1 3. The Court is Not a Party to this Plea Agreement

2 The Court is not a party to this Plea Agreement and may accept or reject it.
3 Defendant acknowledges that no promises of any type have been made to
4 Defendant with respect to the sentence the Court will impose in this matter.

5 Defendant understands the following:

- 6 a. sentencing is a matter solely within the discretion of the Court;
7 b. the Court is under no obligation to accept any recommendations
8 made by the United States or Defendant;
9 c. the Court will obtain an independent report and sentencing
10 recommendation from the United States Probation Office;
11 d. the Court may exercise its discretion to impose any sentence it
12 deems appropriate, up to the statutory maximum penalties;
13 e. the Court is required to consider the applicable range set forth
14 in the United States Sentencing Guidelines, but may depart
15 upward or downward under certain circumstances; and
16 f. the Court may reject recommendations made by the United
17 States or Defendant, and that will not be a basis for Defendant
18 to withdraw from this Plea Agreement or Defendant's guilty
19 plea.

20 4. Potential Immigration Consequences of Guilty Plea

21 If Defendant is not a citizen of the United States, Defendant understands the
22 following:

- 23 a. pleading guilty in this case may have immigration
24 consequences;
25 b. a broad range of federal crimes may result in Defendant's
26 removal from the United States, including the offense to which
27 Defendant is pleading guilty;
28

- c. removal from the United States and other immigration consequences are the subject of separate proceedings; and
- d. no one, including Defendant's attorney or the Court, can predict with absolute certainty the effect of a federal conviction on Defendant's immigration status.

Defendant affirms that Defendant is knowingly, intelligently, and voluntarily pleading guilty as set forth in this Plea Agreement, regardless of any immigration consequences that Defendant's guilty plea may entail.

5. Waiver of Constitutional Rights

Defendant understands that by entering this guilty plea, Defendant is knowingly and voluntarily waiving certain constitutional rights, including the following:

- a. the right to a jury trial;
- b. the right to see, hear and question the witnesses;
- c. the right to remain silent at trial;
- d. the right to testify at trial; and
- e. the right to compel witnesses to testify.

While Defendant is waiving certain constitutional rights, Defendant understands that Defendant retains the right to be assisted by an attorney through the sentencing proceedings in this case and any direct appeal of Defendant's conviction and sentence, and that an attorney will be appointed at no cost if Defendant cannot afford to hire an attorney.

Defendant understands and agrees that any defense motions currently pending before the Court are mooted by this Plea Agreement, and Defendant expressly waives Defendant's right to bring any additional pretrial motions.

6. Denial of Federal Benefits

Defendant understands that by entering this plea of guilty, Defendant may no longer be eligible for assistance under any state program funded under part A of

1 Title IV of the Social Security Act (concerning Temporary Assistance for Needy
2 Families) or benefits under the food stamp program or any state program carried
3 out under the Food Stamp Act. 21 U.S.C. § 862a. Defendant also understands that
4 the Court may deny Defendant's eligibility for any grant, contract, loan,
5 professional license, or commercial license provided by an agency of the United
6 States or by appropriated funds of the United States. 21 U.S.C. § 862.

7 7. Elements of the Offense

8 The United States and Defendant agree that in order to convict Defendant of
9 Possession with Intent to Distribute 50 Grams or more of Actual (Pure)
10 Methamphetamine, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii), the
11 United States would have to prove the following beyond a reasonable doubt.

- 12 a. *First*, on or about August 5, 2024, in the Eastern District of
13 Washington, Defendant knowingly possessed
14 methamphetamine;
15 b. *Second*, Defendant possessed it with the intent to distribute it to
16 another person; and
17 c. *Third*, the amount of the methamphetamine was at least 50
18 grams of actual methamphetamine.

19 8. Factual Basis and Statement of Facts

20 The United States and Defendant stipulate and agree to the following: the
21 facts set forth below are accurate; the United States could prove these facts beyond
22 a reasonable doubt at trial; and these facts constitute an adequate factual basis for
23 Defendant's guilty plea.

24 The United States and Defendant agree that this statement of facts does not
25 preclude either party from presenting and arguing, for sentencing purposes,
26 additional facts that are relevant to the Sentencing Guidelines computation or
27 sentencing.
28

1 On August 5, 2024, two Yakima police officers were in a marked unit when
2 they observed a vehicle with expired tags. The officers followed the vehicle as it
3 drove into a Jack in the Box drive-through. The officers followed the vehicle and
4 observed that the driver was a female and was the only person in the vehicle. They
5 observed the driver reach over and gather things from the passenger side of the
6 vehicle. The driver asked the drive-through employee for a large paper bag, loaded
7 the bag with something, and then tried to hand the bag back to the employee. The
8 employee replied she would not take the bag. After receiving her food order the
9 driver pulled away. Immediately the officers activated the siren to initiate a traffic
10 stop. The driver sped away into a neighborhood and the officers gave chase.

11 A few minutes later the officers found the vehicle abandoned in an alleyway.
12 The Jack in the Box bag was on the ground outside the vehicle. The officers found
13 Defendant a short distance away, identified her as the driver of the vehicle, and
14 arrested her. Inside the Jack in the Box bag police found approximately 121 grams
15 of actual meth and 26 grams of fentanyl. Also inside the bag was a Glock model
16 19, 9mm pistol.

17 Defendant knew that the substance in the bag was methamphetamine, and
18 she knowingly possessed the methamphetamine with the intent to distribute it to
19 another person.

20 9. The United States' Agreements

21 The United States Attorney's Office for the Eastern District of Washington
22 agrees that at the time of sentencing, the United States will move to dismiss the
23 remaining counts of the Indictment.

24 The United States Attorney's Office for the Eastern District of Washington
25 agrees not to bring additional charges against Defendant based on information in
26 its possession at the time of this Plea Agreement that arise from conduct that is
27 either charged in the Indictment or identified in discovery produced in this case,
28 unless Defendant breaches this Plea Agreement before sentencing.

10. United States Sentencing Guidelines Calculations

Defendant understands and acknowledges that the United States Sentencing Guidelines (“U.S.S.G.” or “Guidelines”) apply and that the Court will determine Defendant’s advisory range at the time of sentencing, pursuant to the Guidelines. The United States and Defendant agree to the following Guidelines calculations.

a. Base Offense Level

The United States and the Defendant agree that the base offense level in this case is 30.

b. Special Offense Characteristics

The United States and the Defendant agree that Defendant’s base offense level is increased by 2 levels because Defendant possessed a firearm.

c. Acceptance of Responsibility

The United States will recommend that Defendant receive a downward adjustment for acceptance of responsibility, pursuant to U.S.S.G. § 3E1.1(a), (b), if Defendant does the following:

- i. accepts this Plea Agreement;
- ii. enters a guilty plea at the first Court hearing that takes place after the United States offers this Plea Agreement;
- iii. demonstrates recognition and affirmative acceptance of Defendant’s personal responsibility for Defendant’s criminal conduct;
- iv. provides complete and accurate information during the sentencing process; and
- v. does not commit any obstructive conduct.

The United States and Defendant agree that at its option and on written notice to Defendant, the United States may elect not to recommend a reduction for acceptance of responsibility if, prior to the imposition of sentence, Defendant is charged with, or convicted of, any criminal offense, or if Defendant tests positive

1 for any controlled substance.

2 d. Agreements Regarding Representations to the Court

3 The United States has a duty of candor to the tribunal. If the United States
4 and Defendant do not agree on the appropriate length of incarceration, the
5 appropriate length or applicable terms of supervised release, and/or the correct
6 guidelines calculations, variances, departures, and/or enhancements, the United
7 States reserves the right to respond to any and all arguments made by Defendant,
8 on any bases the United States deems appropriate, at all stages of this criminal
9 case.

10 Defendant may make any arguments it deems appropriate, at all stages of
11 this criminal case.

12 With regard to all briefing, submissions, and hearings in this criminal case,
13 the United States and Defendant agree to the following provisions:

- 14 i. The United States and Defendant may each respond to
15 any questions from the Court or United States Probation
16 Office;
- 17 ii. The United States and Defendant may each supplement
18 the facts under consideration by the Court by providing
19 information the United States or Defendant deems
20 relevant;
- 21 iii. The United States and Defendant may each present and
22 argue any additional facts that the United States or
23 Defendant believe are relevant to the Sentencing
24 Guidelines computation or sentencing;
- 25 iv. The United States and Defendant may each present and
26 argue information that may already be known to the
27 Court, including information contained in the
28 Presentence Investigation Report;

v. The United States and Defendant may each respond to any arguments presented by the other;

vi. In order to support the United States' sentencing recommendation as set forth herein, the United States may oppose and argue against any defense argument or any recommendation for any sentence lower than the sentence recommended by the United States on any basis, including arguments for a lower offense level, a lower criminal history calculation, the application or non-application of any sentencing enhancement or departure, and/or any variance from the Guidelines range as calculated by the Court;

vii. In order to support the defense sentencing recommendation as set forth herein, Defendant may oppose and argue against any argument by the United States, or any recommendation for any sentence higher than the sentence recommended by the defense on any basis, including arguments for a higher offense level, a higher criminal history calculation, the application or non-application of any sentencing enhancement or departure, and/or any variance from the Guidelines range as calculated by the Court;

viii. The United States may make any sentencing arguments the United States deems appropriate so long as they are consistent with this Plea Agreement, including arguments arising from Defendant's uncharged conduct, conduct set forth in charges that will be dismissed pursuant to this Plea Agreement, and Defendant's relevant conduct; and

ix. Defendant may make any sentencing arguments consistent with this Plea Agreement Defendant deems appropriate.

e. No Other Agreements

The United States and Defendant have no other agreements regarding the Guidelines or the application of any Guidelines enhancements, departures, or variances.

f. Criminal History

The United States and Defendant have no agreement and make no representations about Defendant's criminal history category, which will be determined by the Court after the United States Probation Office prepares and discloses a Presentence Investigative Report.

11. Incarceration

At the time of Defendant's original sentencing in the District Court, the United States agrees to make a sentencing recommendation to the Court that is consistent with this Plea Agreement. The United States' agreement to make such a recommendation is limited exclusively to the time of Defendant's original sentencing in the District Court. The United States' agreement to make such a recommendation does not prohibit or limit in any way the United States' ability to argue for or against any future sentencing modification that takes place after Defendant's original sentencing in the District Court, whether that modification consists of an amendment to the Guidelines, a change to a statutory minimum or maximum sentence, any form of compassionate release, any violation of Supervised Release, or any other modification that is known or unknown to the parties at the time of Defendant's original criminal sentencing. In this Plea Agreement, the United States makes no promises or representations about what positions the United States will take or recommendations the United States will

1 make in any proceeding that occurs after Defendant's original sentencing in the
2 District Court.

3 The United States agrees to recommend a sentence of 168 months.

4 Defendant may recommend any legal sentence.

5 12. Supervised Release

6 The United States and Defendant each agree to recommend 5 years of
7 supervised release. Defendant agrees that the Court's decision regarding the
8 conditions of Defendant's Supervised Release is final and non-appealable; that is,
9 even if Defendant is unhappy with the conditions of Supervised Release ordered by
10 the Court, that will not be a basis for Defendant to withdraw Defendant's guilty
11 plea, withdraw from this Plea Agreement, or appeal Defendant's conviction,
12 sentence, or any term of Supervised Release.

13 The United States and Defendant agree to recommend that in addition to the
14 standard conditions of supervised release imposed in all cases in this District, the
15 Court should also impose the following conditions:

- 16 a. The United States Probation Officer may conduct, upon
17 reasonable suspicion, and with or without notice, a search of
18 Defendant's person, residences, offices, vehicles, belongings,
19 and areas under Defendant's exclusive or joint control.
- 20 b. Defendant shall complete a substance abuse evaluation and, if
21 indicated by a licensed/certified treatment provider, enter into
22 and successfully complete an approved substance abuse
23 treatment program, which could include inpatient treatment and
24 aftercare upon further order of the Court.
- 25 c. Defendant must complete a mental health evaluation and follow
26 any treatment recommendations of the evaluating professional
27 which do not require forced or psychotropic medication and/or
28 inpatient confinement, absent further order of the court.

1 Defendant shall allow reciprocal release of information between
2 the Probation Officer and the treatment provider. Defendant
3 shall contribute to the cost of treatment according to the
4 Defendant's ability.

5 13. Criminal Fine

6 The United States and Defendant may make any recommendation
7 concerning the imposition of a criminal fine. Defendant acknowledges that the
8 Court's decision regarding a fine is final and non-appealable; that is, even if
9 Defendant is unhappy with a fine ordered by the Court, that will not be a basis for
10 Defendant to withdraw Defendant's guilty plea, withdraw from this Plea
11 Agreement, or appeal Defendant's conviction, sentence, or fine.

12 14. Property Disposal

13 Defendant does not claim an interest in the below-listed firearm and does not
14 oppose its disposal by destruction or return to a legitimate and lawful owner by the
15 United States Drug Enforcement Administration (DEA) or other law enforcement
16 agency:

- 17 - a Glock Model 19, 9mm pistol bearing serial number BEYY793.

18 Defendant agrees to hold all law enforcement and the United States, its
19 agents, and its employees harmless from any claims whatsoever arising in
20 connection with the seizure and disposal of any assets covered by this agreement.

21 Defendant waives any right she might otherwise have had to receive notice
22 or a hearing with respect to any other action that DEA or other law enforcement
23 agency might take in its sole discretion to carry out the disposal of assets.

24 Defendant's waiver includes, without limitation, all common law, statutory, and
25 constitutional claims or challenges, on any grounds, arising at any time from, or
26 relating to, the seizure and disposition of assets, including any such claim for
27 attorney fees and litigation costs.
28

1 15. Mandatory Special Penalty Assessment

2 Defendant agrees to pay the \$100 mandatory special penalty assessment to
3 the Clerk of Court for the Eastern District of Washington, pursuant to 18 U.S.C.
4 § 3013.

5
6 16. Payments While Incarcerated

7 If Defendant lacks the financial resources to pay the monetary obligations
8 imposed by the Court, Defendant agrees to earn money toward these obligations by
9 participating in the Bureau of Prisons' Inmate Financial Responsibility Program.

10 17. Additional Violations of Law Can Void Plea Agreement

11 The United States and Defendant agree that the United States may, at its
12 option and upon written notice to the Defendant, withdraw from this Plea
13 Agreement or modify its sentencing recommendation if, prior to the imposition of
14 sentence, Defendant is charged with or convicted of any criminal offense or tests
15 positive for any controlled substance.

16 18. Waiver of Appeal Rights

17 Defendant understands that Defendant has a limited right to appeal or
18 challenge Defendant's conviction and the sentence imposed by the Court.

19 In return for the concessions that the United States has made in this Plea
20 Agreement, Defendant expressly waives all of Defendant's rights to appeal any
21 aspect of Defendant's conviction and/or the sentence the Court imposes, on any
22 grounds.

23 Defendant expressly waives Defendant's right to appeal any fine, term of
24 supervised release, or restitution order imposed by the Court.

25 Defendant expressly waives the right to file any post-conviction motion
26 attacking Defendant's conviction and sentence, including a motion pursuant to 28
27 U.S.C. § 2255, except one based on ineffective assistance of counsel arising from
28

1 information not now known by Defendant and which, in the exercise of due
2 diligence, Defendant could not know by the time the Court imposes sentence.

3 Nothing in this Plea Agreement shall preclude the United States from
4 opposing any post-conviction motion for a reduction of sentence or other attack
5 upon the conviction or sentence, including, but not limited to, writ of habeas
6 corpus proceedings brought pursuant to 28 U.S.C. § 2255.

7 19. Withdrawal or Vacatur of Defendant's Plea

8 Should Defendant successfully move to withdraw from this Plea Agreement
9 or should Defendant's conviction be set aside, vacated, reversed, or dismissed
10 under any circumstance, then:

- 11 a. Any obligations, commitments, or representations made by the
12 United States in this Plea Agreement shall become null and
13 void;
14 b. The United States may prosecute Defendant on all available
15 charges;
16 c. The United States may reinstate any counts that have been
17 dismissed, have been superseded by the filing of another
18 charging instrument, or were not charged because of this Plea
19 Agreement; and
20 d. The United States may file any new charges that would
21 otherwise be barred by this Plea Agreement.

22 The decision to pursue any or all of these options is solely in the discretion
23 of the United States Attorney's Office.

24 Defendant agrees to waive any objections, motions, and/or defenses
25 Defendant might have to the United States' decisions to seek, reinstate, or reinitiate
26 charges if a count of conviction is withdrawn, set aside, vacated, reversed, or
27 dismissed, including any claim alleging a violation of Double Jeopardy.
28

1 Defendant agrees not to raise any objections based on the passage of time,
2 including but not limited to alleged violations of any statutes of limitation or any
3 objections based on the Speedy Trial Act or the Speedy Trial Clause of the Sixth
4 Amendment.

5 20. Integration Clause

6 The United States and Defendant acknowledge that this document
7 constitutes the entire Plea Agreement between the United States and Defendant,
8 and no other promises, agreements, or conditions exist between the United States
9 and Defendant concerning the resolution of the case.

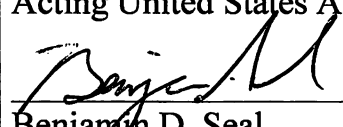
10 This Plea Agreement is binding only on the United States Attorney's Office
11 for the Eastern District of Washington, and cannot bind other federal, state, or local
12 authorities.

13 The United States and Defendant agree that this Agreement cannot be
14 modified except in a writing that is signed by the United States and Defendant.

15 Approvals and Signatures


16 Agreed and submitted on behalf of the United States Attorney's Office for
17 the Eastern District of Washington.

18 Stephanie Van Marter
19 Acting United States Attorney

20 
21 Benjamin D. Seal
22 Assistant United States Attorney

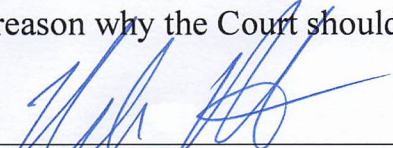
23 7-10-25
24 Date
25
26
27
28

1 I have read this Plea Agreement and I have carefully reviewed and discussed
2 every part of this Plea Agreement with my attorney. I understand the terms of this
3 Plea Agreement. I enter into this Plea Agreement knowingly, intelligently, and
4 voluntarily. I have consulted with my attorney about my rights, I understand those
5 rights, and I am satisfied with the representation of my attorney in this case. No
6 other promises or inducements have been made to me, other than those contained
7 in this Plea Agreement. No one has threatened or forced me in any way to enter
8 into this Plea Agreement. I agree to plead guilty because I am guilty.

9 
10 ALLICIANNA LYNZNIE CLARK
11 Defendant

7/10/25
Date

12 I have read the Plea Agreement and have discussed the contents of the
13 agreement with my client. The Plea Agreement accurately and completely sets
14 forth the entirety of the agreement between the parties. I concur in my client's
15 decision to plead guilty as set forth in the Plea Agreement. There is no legal
16 reason why the Court should not accept Defendant's guilty plea.

17 
18 Nick Mirr
19 Attorney for Defendant

7/10/25
Date

20
21 Interpreter Certification

22 I hereby certify that I have read and translated the entire foregoing document
23 to Defendant in a language with which Defendant is conversant. If questions have
24 arisen, I have notified Defendant's counsel of the questions and have not offered
25 nor given legal advice nor personal opinions.

26
27 Written Name:
28 Interpreter

Date